

// A special meeting of the Council of the City of Lynchburg, recessed from June 14, was held on the 23rd day of June, 2005, at 12:00 Noon, Third Floor Training Room, City Hall, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct an interview of a candidate interested in serving on the Lynchburg School Board. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Seiffert, Hutcherson 6

Absent: Johnson 1

// On motion of Council Member Seiffert, seconded by Vice Mayor Foster, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions and specifically to conduct an interview of a candidate seeking to serve on the Lynchburg School Board pursuant to Section 2.2-3711(A) (1) of the Code of Virginia, 1950, as amended:

Ayes: Dodson, Foster, Gillette, Helgeson, Seiffert, Hutcherson 6

Noes: 0

Absent: Johnson 1

// The meeting was re-opened to the public.

// Council Member Gillette made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Seiffert, and Council by the following recorded vote adopted the motion:

Ayes: Dodson, Foster, Gillette, Helgeson, Seiffert, Hutcherson 6

Noes: 0

Absent: Johnson 1

// The meeting was recessed at 1:40 p.m. to June 28, 2005, at 2:30 p.m., to conduct a work session regarding several items.

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Clerk of Council

// A special meeting of the Council of the City of Lynchburg, recessed from June 23, was held on the 28th day of June, 2005, at 2:30 P.M., Second Floor Training Room, City Hall, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct a work session regarding several items. The following Members were present:

Present: Dodson, Foster, Helgeson, Johnson, Seiffert, Hutcherson

6

Absent: Gillette

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// City Council again considered a request for designating all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties known as 1518 and 1600 Fourteenth Street as a local Historic District (HD) to be known as the Spencer-Johnson Renaissance Historic District. Staff presented additional information showing that over 50% of the properties in this area were in favor of the designation. In response to questioning, Historic Preservation Commission Secretary Annette Chenault stated that a homeowner would only be held by restrictions of the era in which their home was constructed and that as long as any exterior changes were in line with the era of the construction of the house, those changes would be appropriate. Some Council Members expressed concern regarding the name since there were other prominent individuals who had at one time lived on Pierce Street. Mayor Hutcherson proposed changing the name of the historic district to the Pierce Street Renaissance Historic District. Following discussion, Council directed that the name of the historic district be changed to "Pierce Street Renaissance Historic District" and that the item be scheduled for the July 12 meeting for vote.

// City Manager Kimball Payne stated that following the May 24 work session, a more detailed work plan was developed to support the formation of the Community Action Network in addition to a proposed budget for the \$100,000 to support the program. City Manager Payne explained that the program name has been changed to Neighborhood Alliance Network Association and that an Oversight Committee consisting of Director of Parks and Recreation Kay Frazier, LynCAG Executive Director Jim Mundy and the City Manager has reviewed the revised work plan and that the Committee will serve a continuing oversight role should the proposal be approved. Mr. Payne went on to say that the \$100,000, from unexpended funds from the FY2005 General Fund Reserve for Contingencies, would be utilized to seed the Network for a period of one year, and that during the year the program would be developed and evaluated and grant funding would be sought to establish it as a non-profit agency, or a program within an existing non-profit, addressing leadership, empowerment and other social issues in the inner city neighborhoods. On motion of Vice Mayor Foster, seconded by Council Member Dodson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-05-079, as presented, amending the FY2006 General Fund Budget and appropriating \$100,000, with resources from the unexpended balance of the FY2005 General Fund Reserve for Contingencies, to facilitate the establishment of a Community Action Network as part of the Healthy Neighborhoods Initiative:

Ayes: Dodson, Foster, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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Absent: Gillette

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// Council Member Gillette arrived at 3:45 p.m. during discussion of Agenda Item #3.

// City Manager Kimball Payne presented an overview regarding a proposed compensation plan, that would become effective January 4, 2006, to provide an average of a three percent across-the-board compensation adjustment to those City employees who have exhibited satisfactory performance. Mr. Payne explained that providing for an average overall increase of 3% would require the identification of an additional \$1 million in recurring funds for subsequent budget years starting in FY2007. Mr. Payne went on to say that the creation of a Compensation Reserve of \$500,000 would buffer the impact on the FY2007 Budget. On motion of Vice Mayor Foster, seconded by Council Member Seiffert, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-05-080, as presented, amending the FY 2006 General Fund Budget and appropriating \$500,000, with resources of \$500,000 from the unexpended balance of the FY 2005 General Fund Reserve for Contingencies, to be used for FY 2006 compensation adjustments and to establish a Compensation Reserve:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// During roll call, City Manager Kimball Payne stated that he would speak with the City Attorney regarding Council Member Seiffert's inquiry to address high turnover in certain City positions. Council Member Dodson inquired regarding the investigation of a recent accident between two fire trucks, and inquired whether the Transit Company plans to discontinue support of the Greyhound bus operations at the Kemper Street Station. In response to Council Member Dodson's inquiry, City Traffic Engineer Gerry Harter provided an update following the installation of speed bumps on Roundelay Road, stating that the speed of vehicles traveling this road has dropped 5-6 miles. Council Member Dodson also distributed a letter from a local business expressing concern regarding changing the traffic pattern on 13<sup>th</sup> Street from one-way to two-way. City Manager Payne stated that the proposal is on hold at the present time and that he has asked for additional information and plans to meet with all stakeholders before implementing any traffic pattern changes on 13<sup>th</sup> Street. Vice Mayor Foster informed of overgrown shrubs hanging over into the street at the corner of Rivermont Avenue/Fifth Street.

// The meeting was adjourned at 4:35 p.m.

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Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 28th day of June, 2005, at 5:00 P.M. in the Council Chamber, City Hall, Carl B. Hutcherson, Jr., President, presiding. Council Member Dodson gave the Invocation. The Pledge of Allegiance was led by the Police Officer in attendance. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Absent: 0

// Copies of the minutes of the June 6, 8 and 14, 2005 meetings, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Airport - General, Resolution ##R-05-069 amending the FY 2005 Airport Projects Grant Fund budget and appropriating \$7,000, with \$5,600 reimbursement, for the purchase of three (3) Automated External Defibrillators for the Airport, laid over from the June 14, 2005 meeting, was again presented and read, and on motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Airport - General, Resolution #R-05-070 amending the FY 2005 Airport Projects Grant Fund budget and appropriating \$130,000, with \$104,000 reimbursement, for rehabilitation of the aircraft ramp for Hangar #8 and repairs to the public roadway between Hangars 5 & 6 at the Airport, laid over from the June 14, 2005 meeting, was again presented and read, and on motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Human Services - General, Resolution #R-05-078 amending the FY 2005 City/Federal/State Aid Fund budget and appropriating \$148,522, with \$118,818 reimbursement, to fund the Program Improvement Plan required by the State to address child welfare outcomes pertaining to children's safety, permanency, and well-being, laid over from the June 14, 2005 meeting, was again presented and read, and on motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Public Works - Utilities, City Council Report #5 was considered. On motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-05-081, as presented, authorizing the City Manager to extend the current water contracts

with Amherst County Service Authority, Bedford County Public Service Authority, and Campbell County Utilities and Service Authority for a period of one year:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// In the matter of Schools - General, a public hearing was held to receive input from citizens regarding the appointment to a vacancy that will exist June 30 in District III on the Lynchburg School Board. At the request of Mayor Hutcherson, the Clerk read into the record the names of all individuals who have applied for a District III position on the School Board: Kathy Banks, Theodore B. Hannon, Eugene A. Tweedy, Jr., and Glyn K. Wooldridge. Three individuals spoke in support of Eugene Tweedy, Jr. Mr. Tweedy also spoke regarding his desire to serve on the School Board. There was no one else present who wished to speak to this item. Mayor Hutcherson outlined two options, i.e., City Council could close the public hearing tonight and appoint the District III representative in July, or continue the public hearing to July and appoint the District III representative in August. Several Council Members expressed an interest in making the appointment as soon as possible since the deadline for making this appointment is June 30. On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote closed the public hearing:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// In the matter of Library - General, City Council Report #7 was considered. On motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote adopted Ordinance #0-05-082, as presented, repealing Section 24-12 of the City Code regarding the creation of the Library Advisory Committee:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// In the matter of Public Works - General, City Council Report #8 regarding a proposal to reduce the Common Goods Fee was considered. City Manager Kimball Payne provided a brief overview, stating that when the flat fee was originally considered it was estimated that an amount of \$4.22 per month per household would be needed to cover the projected costs. Mr. Payne also noted that the costs for these services are projected to increase approximately 2.0% for FY2006 and that a flat fee necessary to cover services would be \$4.39. Mr. Payne went on to say that although staff is recommending that the Common Goods Fee remain at the current level of \$5.00 per month per household, if the fee were reduced, that staff is recommending an implementation date of January 1, 2006, in order to alleviate the high expense of processing refund checks. Mr. Payne also explained that a reduction in the flat fee to \$4.39 would save each household \$7.32 per year and would reduce revenues to the Solid Waste Management Fund by \$141,400, and that an alternative would be to reduce the General Fund support for refuse collection by that amount, in essence providing additional resources for General Fund activities. Some Council Members commented that since this is a fee designed to cover the costs of a service, that the City should

only be charging a fee necessary to cover the costs of providing the service. On motion of Council Member Seiffert, seconded by Council Member Gillette, Council by the following recorded vote agreed to reduce the Common Goods Fee to \$4.40 effective January 1, 2006:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// On motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, to discuss the annual performance of the City Manager, City Attorney and Clerk of Council, for discussion concerning the location of a prospective business in the City where no previous announcement has been made of the business' interest in locating in the City, and for consultation with legal counsel regarding potential litigation because consultation in an open meeting would adversely affect the negotiating or litigating posture of the City pursuant to Section 2.2-3711(A)(1) (5) and (7), respectively, of the Code of Virginia, 1950, as amended:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// Council Member Seiffert left the closed meeting at 6:48 p.m.

// The meeting was re-opened to the public.

// Council Member Gillette made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Helgeson, and Council by the following recorded vote adopted the motion:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

// In the matter of Appointments, and on nomination of Council Member Johnson, Council by the following recorded vote re-appointed Ellis M. Frankfort and Sterling A. Wilder to serve on the School Board for terms to expire June 30, 2008:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

On nomination of Council Member Johnson, Council by the following recorded vote re-appointed Jewell

E. Stoker to serve on the Museum Advisory Board for a term to expire June 30, 2008:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

On nomination of Council Member Johnson, Council by the following recorded vote appointed Greg

Daniels to fill an unexpired term on the Transit Company Board ending October 31, 2006:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

On nomination of Council Member Johnson, Council by the following recorded vote re-appointed M.

David Francis to serve on the Tourism Advisory Committee for a term to expire June 30, 2008:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

On nomination of Council Member Johnson, Council by the following recorded vote appointed Gloria M.

Cardwell to serve on the Tourism Advisory Committee for a term to expire June 30, 2008:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson 6

Noes: 0

Absent: Seiffert 1

// The meeting was recessed at 8:06 P.M. to June 30, at 12:30 P.M., to conduct interviews of candidates interested in serving on the Lynchburg School Board.

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Clerk of Council

// A special meeting of the Council of the City of Lynchburg, recessed from June 28, was held on the 30th day of June, 2005, at 12:30 P.M., Third Floor Training Room, City Hall, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct interviews of candidates interested in serving on the Lynchburg School Board. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Absent: 0

// On motion of Council Member Helgeson, seconded by Council Member Seiffert, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions and specifically to conduct interviews of candidates seeking to serve on the Lynchburg School Board pursuant to Section 2.2-3711(A) (1) of the Code of Virginia, 1950, as amended:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// The meeting was re-opened to the public.

// Council Member Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Seiffert, and Council by the following recorded vote adopted the motion:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// The meeting was recessed at 2:40 p.m. to July 12, at 1:00 p.m., to conduct a work session regarding several items.

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Clerk of Council